

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED
APR 09 1999
[Signature]
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUNT BUILDING CORPORATION and
ELLSWORTH HOUSING LIMITED
PARTNERSHIP,

Defendants.

Civil No. 98-5109

STIPULATION OF DISMISSAL

Plaintiff, the United States of America, and Defendants Hunt Building Corporation and Ellsworth Housing Limited Partnership, through their undersigned attorneys, hereby stipulate to the dismissal, with prejudice, of the United States' claims against Defendants in the above-captioned action, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, on the terms set forth herein.

On November 20, 1998, the United States filed this action. Defendants have not filed answers to the Complaint, although the law firm of Fried, Frank, Harris, Shriver & Jacobson, of Washington, D.C., accepted service of the Summons and Complaint on behalf of the Defendants and has appeared on Defendants' behalf.

The parties have reached an agreement to settle this litigation and have executed a Settlement Agreement (effective March 2, 1999), a copy of which is attached hereto as an exhibit. Accordingly, the parties hereby request that the Court enter the Order, filed herewith, that dismisses the United States' claims against Defendants, with prejudice, consistent with the terms of the Settlement Agreement.

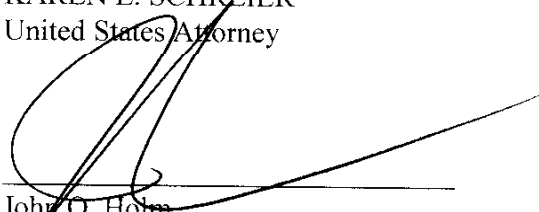
ATTORNEYS FOR THE UNITED STATES OF AMERICA

DAVID W. OGDEN
Acting Assistant Attorney General

KAREN E. SCHREIER
United States Attorney

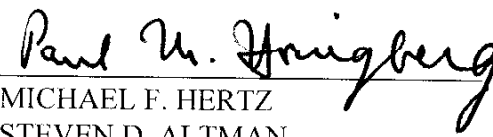
Dated: *April 7, 1999*

By:


John O. Holm
Assistant United States Attorney
P.O. Box 5073
Sioux Falls, SD 57117-5073
(605) 330-4401 ex. 111

Dated: *April 6, 1999*

By:



MICHAEL F. HERTZ
STEVEN D. ALTMAN
PAUL M. HONIGBERG
U.S. Department of Justice
Civil Division
P.O. Box 261
Washington, D.C. 20044

**ATTORNEYS FOR HUNT BUILDING CORPORATION AND
ELLSWORTH HOUSING LIMITED PARTNERSHIP**

DATED:

April 6, 1999

By:

A handwritten signature in dark ink, appearing to read 'J-T Boese', written over a horizontal line.

JOHN T. BOESE

JAMES J. McCULLOUGH

CATHERINE E. POLLACK

Fried, Frank, Harris, Shriver & Jacobson

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